



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

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G. Ruiz



February 6, 2003

**CERTIFIED MAIL #7099 3400 0002 9774
RETURN RECEIPT REQUESTED**

NOTICE OF PAST VIOLATION

Electronics Processing Associates
8 Roosevelt Avenue
Hudson, New Hampshire 03051

Attn: Mr. Harvey Gottlieb, Owner

**Re: Electronics Processing Associates
Hudson, New Hampshire
EPA ID # NHD982745192**

Dear Mr. Gottlieb

On December 12, 2002, the Department of Environmental Services, Waste Management Division (DES) conducted an inspection of Electronic Processing Associates (EPA). The purpose of the inspection was to determine EPA's compliance status relative to RSA Ch.147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection and review of the information provided to DES, the following deficiencies were documented:

1. Env-Wm 1104.04 – Universal Waste Training

A review of EPA's personnel training program revealed that universal waste management was not included as part of the curriculum. As a result, employees responsible for universal waste management were not thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities.

Env-Wm 1104.04 requires Large Quantity Universal Waste Handlers to ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures relative to their responsibilities during normal facility operations and emergencies.

DES requests that EPA conduct and document universal waste training for all employees who handle universal waste. Please submit documentation of universal waste training to DES.

In a December 18, 2002 submittal from Mr. Jim Maher, Vice President- Sales, documentation was provided substantiating compliance with the Universal Waste training requirement. No further action is required.

2 Env-Wm 11.04 – Universal Waste Labeling Requirements

At the time of the inspection, one (1) cubic yard box of universal waste mercury containing devices, located in the Facility Floor Area, was not marked with the words “Universal Waste – Mercury Containing Device(s)”, “Waste Mercury Containing Device(s)”, or “Used Mercury Containing Device(s).”

Env-Wm 1111.04 requires universal waste handlers to ensure all container(s) holding universal waste mercury containing devices to be clearly labeled or marked with any of the following: “Universal Waste – Mercury Containing Device(s)”, “Waste Mercury Containing Device(s)”, or “Used Mercury Containing Device(s).”

DES requests that EPA clearly label or mark container(s) holding universal waste mercury containing devices with any of the following: “Universal Waste – Mercury Containing Device(s)”, “Waste Mercury Containing Device(s)”, or “Used Mercury Containing Device(s).”

In a December 18, 2002 submittal from Mr. Jim Maher, documentation was provided substantiating compliance with the universal waste container marking/labeling requirements. No further action is required.

3 Env-Wm 1112.03(a) Universal Waste Container Requirements

At the time of inspection, eighteen (18) 4-foot universal waste lamps were observed in the corner of the facility’s Pool Area without a container.

Env-Wm 1112.03(a) requires universal waste handlers to store intact and broken universal waste lamps in container(s) that meet the requirements of Env-Wm 1102.03(c). Env-Wm 1102.03(c) furthermore stipulates the containers must be closed, compatible with the universal waste and its contents, and free of defects, design characteristics or damage.

DES requests EPA to ensure all universal waste lamps generated at the facility are placed and stored in containers that meet the requirements of Env-Wm 1102.03(c).

In a December 18, 2002 submittal from Mr. Jim Maher, documentation was provided substantiating compliance with the universal waste container requirements. No further action is required.

4. Env-Wm 1113.03(a) - Universal Waste Container Requirements

At the time of inspection, two (2), open, one-cubic-yard containers of broken universal waste cathode ray tubes were observed in the Facility Floor Area.

Env-Wm 1113.03(a) requires universal waste handlers to containerize cathode ray tubes that show evidence of breakage, spillage, or damage that could cause release of glass particles. Furthermore, the containers should meet the requirements of Env-Wm 1102.03(c) which includes closed, compatible containers that are free of defects, design characteristics or damage.

In a December 18, 2002 submittal from Mr. Jim Maher, documentation was provided substantiating compliance with the management requirements for broken universal waste cathode ray tubes. No further action is required.

5. Env-Wm 13.04 Universal Waste Labeling Requirements

During the inspection, the two (2), one-cubic-yard containers of broken universal waste cathode ray tubes, as well as one (1) pallet of intact universal waste cathode ray tubes, were not marked with the words "Universal Waste – Cathode Ray Tube(s)", "Waste Cathode Ray Tube(s)", or "Used Cathode Ray Tube(s)".

Env-Wm 1113.04 requires universal waste handlers to ensure all container(s) holding universal waste cathode ray tubes are clearly labeled or marked with any of the following: "Universal Waste – Cathode Ray Tube(s)", "Waste Cathode Ray Tube(s)", or "Used Cathode Ray Tube(s)."

DES requests that EPA clearly label or mark container(s) holding universal waste cathode ray tubes with any of the following: "Universal Waste – Cathode Ray Tube(s)", "Waste Cathode Ray Tube(s)", or "Used Cathode Ray Tube(s)."

In a December 18, 2002 submittal from Mr. Jim Maher, documentation was provided substantiating compliance with the universal waste container marking/labeling requirements. No further action is required.

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of a report describing the corrective measures taken by EPA to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may reinspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator RCRA Inspection Checklist which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff are available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at 271-2942.

If you believe that the deficiencies documented in this NOPV have been cited in error, or if you have any questions regarding this matter, please contact the lead inspector, Eric K. Abrams or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Sharon Ducharme of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,

 **COPY**

Kenneth W. Marschner, Administrator
Waste Management Programs
Waste Management Division

cc: DB/RCRA/NOPV/Archives
Philip J. O'Brien, Ph.D., P.G., Director, WMD
Gretchen Rule, Esq., Administrator, DES Legal Unit
Peter Goldenberg, Environmental Health & Safety Manager
Jim Maher, Vice President - Sales

E-mail: JJD/SD/SD/PM

Enclosure: Inspection Checklist